



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2016-0002; Internal Agency Docket No. FEMA-8471]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the Federal Register on a subsequent date. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <https://www.fema.gov/national-flood-insurance-program-community-status-book>.

DATES: The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact Patricia Suber, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW., Washington, DC 20472, (202) 646-4149.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR Part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. We recognize that some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the Federal Register.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. The date of the FIRM, if

one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year on FEMA's initial FIRM for the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment procedures under 5 U.S.C. 553(b), are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) does not apply.

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, Section 1315, 42 U.S.C. 4022, prohibits flood insurance

coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR Part 64 is amended as follows:

PART 64--[AMENDED]

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Region II				
New York: Butternut, Town of, Otsego County.	361247	May 13, 1977, Emerg; October 21, 1983, Reg; March 21, 2017, Susp.	March 21, 2017	March 21, 2017
Decatur, Town of, Otsego County.	361417	February 4, 1976, Emerg; June 18, 1987 Reg; March 21, 2017, Susp.	-do-	-do-
Edmeston, Town of, Otsego County.	361270	September 30, 1975, Emerg; June 1, 1987 Reg; March 21, 2017, Susp.	-do-	-do-
Exeter, Town of, Otsego County.	361418	May 13, 1977, Emerg; November 18, 1983 Reg; March 21, 2017, Susp.	-do-	-do-
Hartwick, Town of, Otsego County.	361271	May 13, 1977, Emerg; November 4, 1983 Reg; March 21, 2017, Susp.	-do-	-do-
Milford, Town of, Otsego County.	361274	January 16, 1976, Emerg; May 19, 1987 Reg; March 21, 2017, Susp.	-do-	-do-
Oneonta, City of, Otsego County.	360667	February 2, 1973, Emerg; September 29, 1978 Reg; March 21, 2017, Susp.	-do-	-do-
Otego, Town of, Otsego County.	361284	September 19, 1977, Emerg; February 4, 1987 Reg; March 21, 2017, Susp.	-do-	-do-
Pittsfield, Town of, Otsego County.	361277	May 13, 1977, Emerg; November 4, 1983 Reg; March 21, 2017, Susp.	-do-	-do-
Springfield, Town of, Otsego County.	361280	May 5, 1976, Emerg; June 1, 1987 Reg; March 21, 2017, Susp.	-do-	-do-
Unadilla, Town of, Otsego County.	361281	January 2, 1976, Emerg; September 30, 1987 Reg; March 21, 2017, Susp.	-do-	-do-
Worcester, Town of, Otsego County.	361283	January 26, 1977, Emerg; June 1, 1988 Reg; March 21, 2017, Susp.	-do-	-do-
Region III				
Pennsylvania: Brokenstraw, Township of, Warren County.	422115	December 15, 1972, Emerg; July 17, 1978 Reg; March 21, 2017, Susp.	-do-	-do-
Buckingham, Township of, Bucks County.	420985	January 15, 1974, Emerg; March 15, 1979 Reg; March 21, 2017, Susp.	-do-	-do-
Centre, Township of Berks County.	421056	October 4, 1977, Emerg; December 16, 1980 Reg; March 21, 2017, Susp.	-do-	-do-
Chalfont, Borough of, Bucks County.	420184	February 25, 1972, Emerg; December 28, 1976 Reg; March 21, 2017, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Doylestown, Borough of, Bucks County.	421410	February 17, 1977, Emerg; June 1, 1984 Reg; March 21, 2017, Susp.	-do-	-do-
Doylestown, Township of, Bucks County.	420185	December 22, 1972, Emerg; September 29, 1978 Reg; March 21, 2017, Susp.	-do-	-do-
Falls, Township of, Bucks County.	420188	July 21, 1972, Emerg; September 30, 1980 Reg; March 21, 2017, Susp.	-do-	-do-
Farmington, Township of, Warren County.	422120	May 18, 1977, Emerg; May 15, 1985 Reg; March 21, 2017, Susp.	-do-	-do-
Freehold, Township of, Warren County.	422121	May 3, 1979, Emerg; August 5, 1985 Reg; March 21, 2017, Susp.	-do-	-do-
Heidelberg, Township of, Berks County.	421069	March 7, 1977, Emerg; May 3, 1990 Reg; March 21, 2017, Susp.	-do-	-do-
Limestone, Township of, Warren County.	422547	February 28, 1977, Emerg; June 1, 1987 Reg; March 21, 2017, Susp.	-do-	-do-
Lower Heidelberg, Township of, Berks County.	421077	July 18, 1975, Emerg; August 16, 1982 Reg; March 21, 2017, Susp.	-do-	-do-
Lower Southampton, Township of, Bucks County.	420192	September 15, 1972, Emerg; March 15, 1977 Reg; March 21, 2017, Susp.	-do-	-do-
Mead, Township of, Warren County.	422123	October 3, 1975, Emerg; November 4, 1988 Reg; March 21, 2017, Susp.	-do-	-do-
Middletown, Township of, Bucks County.	420193	October 6, 1972, Emerg; December 4, 1979 Reg; March 21, 2017, Susp.	-do-	-do-
New Britain, Borough of, Bucks County.	420986	December 6, 1973, Emerg; April 2, 1979 Reg; March 21, 2017, Susp.	-do-	-do-
Newtown, Township of, Bucks County.	421084	March 16, 1976, Emerg; December 18, 1979 Reg; March 21, 2017, Susp.	-do-	-do-
North Heidelberg, Township of, Berks County.	421086	December 23, 1976, Emerg; March 18, 1983 Reg; March 21, 2017, Susp.	-do-	-do-
Pittsfield, Township of, Warren County.	422125	February 18, 1976, Emerg; August 1, 1987 Reg; March 21, 2017, Susp.	-do-	-do-
Sheffield, Township of, Warren County.	422126	June 1, 1976, Emerg; December 1, 1986 Reg; March 21, 2017, Susp.	-do-	-do-
Triumph, Township of, Warren County.	422550	October 19, 1979, Emerg; February 15, 1985 Reg; March 21, 2017, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Upper Bern, Township of, Berks County.	421118	May 8, 1979, Emerg; November 5, 1982 Reg; March 21, 2017, Susp.	-do-	-do-
Upper Makefield, Township of, Bucks County.	420207	December 3, 1971, Emerg; October 17, 1978 Reg; March 21, 2017, Susp.	-do-	-do-
Watson, Township of, Warren County.	422551	February 28, 1977, Emerg; May 1, 1985 Reg; March 21, 2017, Susp.	-do-	-do-
Region IV				
Mississippi: Benoit, Town of, Bolivar, Bolivar County.	280013	April 1, 1975, Emerg; September 4, 1985, Reg; March 21, 2017, Susp.	-do-	-do-
Bolivar County, Unincorporated Areas.	280011	May 4, 1973, Emerg; July 17, 1989, Reg; March 21, 2017, Susp.	-do-	-do-
Cleveland, City of, Bolivar County.	280016	May 18, 1973, Emerg; September 1, 1978, Reg; March 21, 2017, Susp.	-do-	-do-

*-do- =Ditto.

Code for reading third column: Emerg. —Emergency; Reg. —Regular; Susp. —Suspension.

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Renova, Town of, Bolivar County.	280065	July 10, 2012, Emerg; N/A, Reg; March 21, 2017, Susp.	-do-	-do-
Shaw City of Bolivar County.	280023	April 1, 1974, Emerg; June 3, 1986, Reg; March 21, 2017, Susp.	-do-	-do-
Shelby, City of, Bolivar County.	280024	May 4, 1973; September 27, 1985; Reg; March 21, 2017, Susp.	-do-	-do-

*-do- =Ditto.

Code for reading third column: Emerg. —Emergency; Reg. —Regular; Susp. —Suspension.

Dated: March 15, 2017

Michael M. Grimm,

Assistant Administrator for Mitigation,

Federal Insurance and Mitigation Administration,

Department of Homeland Security,

Federal Emergency Management Agency.

[FR Doc. 2017-05747 Filed: 3/22/2017 8:45 am; Publication Date: 3/23/2017]